

Appl. No. 10/509,848
Amdt. Dated of May 17, 2008
Reply to Office action of November 27, 2007

REMARKS

Claims 1-7, 10-18, and 21-22 are pending in the present application after amendments. Claims 1 and 12 have been amended to distinctively claim the invention. The amendments are supported by for example FIG.1. Claims 8-9 and 19-20 have been cancelled without prejudice. No new matter has been introduced.

Designations for Claims 8-9 and 19-20

Claims 8-9 and 19-20 have been designated with “cancelled” as required by the Examiner.

Rejection to Claims 1-3, 5-7 and 10-11 under 35 USC 102(b) as being anticipated by Wuelker (US 1,546,529)

Claims 1-3, 5-7 and 10-11 stand rejected under 35 USC 102(b) as being anticipated by Wuelker, U.S. Pat. 1,546,529 (Wuelker). In Examiner’s view, in regard to claim 1, Wuelker discloses a roller applicator comprised of a frustoconically shaped applicator 11 having two opposite ends, a coupling

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portion 21 disposed at one end and an external surface between the two ends wherein the applicator is "rotatable" at the coupling portion about a rotary axis (i.e., upon the loosening of nut 21, the applicator is capable of rotating upon the stem 16), a chamber within the applicator wherein the end bearing the coupling portion 21 has a planar cross-section (viewing Figure 2, the "end bearing the coupling portion 21" is the end of the roller on the right side of the drawing) smaller than a corresponding cross-section of the other opposite end (the opposite end being the end of the roller shown on the left) and an absorbable member 25 mounted to the exterior surface; in regard to claim 2, a movement coupler 16 is detachably coupled to the coupling portion 21; in regard to claim 3, the movement coupler 16 defines a rotary coupling portion adapted to coact with the coupling portion for rotary movement about the axis (the coupling portion rotates with respect to the applicator); in regard to claim 5, the applicator has a closable inlet 28; in regard to claim 6, the inlet 28 is disposed at one of the ends; in regard to claim 7, the chamber has a permeable portion 27 coupled to the absorbable member 25; in regard to claim 10, the coupling portion is disposed centrally relative to the planer cross-section of the coupling end; in regard to claim 11, an "abutment member" 29 is mountable to one of the ends.

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Applicants respectfully traverse the rejections for the following reasons.

The paint roller of the present invention is particularly useful for painting surfaces in the corner areas because the contact with an adjacent surface by a paint-absorbable member of the paint roller is avoided, or at least alleviated, when using the paint roller to paint a surface. See, 2nd para of Detailed Description of the Drawings. This is accomplished by providing a frustoconically-shaped applicator having one larger end and one smaller end, where a coupling portion is disposed at the smaller end for receiving a handling means that extends outwardly from the coupling portion, so that the rotation of the applicator is controlled from the smaller end. See, e.g., FIG. 1. This is evidently different from Oil and Polish Applier of Wuelker as discussed below. While applicants strongly believe that Claims 1 and 12 in their previous form have distinctively claimed the invention, for the sake of expediting the examination process, Claims 1 and 12 have been amended to explicitly claim the coupling portion.

Wuelker discloses an oil and polish applier that has a stem 16 passing through a cylinder from the larger end 13 to the smaller end 12, where the nut 21 secures the stem at the smaller end 12 and the stem controls the applier from the larger end. See, e.g., Fig. 2. It is evident that the configuration of

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Wuelker's applier is totally opposite to the one of the paint roller of the present invention.

Furthermore, the "abutment member" 29 of Wuelker as alleged by the Examiner is actually a "plug" for closing the port 28. See, lines 95-96 of Wuelker. In contrast, the abutment member in claim 11 serves to alleviate contact of the paint-absorbable member 14 with adjacent surfaces that are not being painted. See, e.g., FIG. 6. It is evident that the "abutment member" 29 of Wuelker has not relation to the abutment member claimed in claim 11.

Therefore, Wuelker fails to teach or suggest all of the claimed features in Claims 1-3, 5-7 and 10-11. Applicants respectfully submit that Claims 1-3, 5-7 and 10-11 not be anticipated by US '529, and request that the rejections be withdrawn.

Rejection to Claims 4, 12-18 and 21-22 under 35 USC 103(a) as being unpatentable over US '529 in view of Baril

Claims 4, 12-18 and 21-22 stand rejected under 35 USC 103(a) as being unpatentable over Wuelker in view of Baril, US 4,196,491 (Baril). In the Examiner's view, in regard to claim 4, although the movement coupler 16 is not a pivotal connecting region which coacts with a pivot mount of a handle,

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attention is directed to the Baril reference, which discloses another roller applicator wherein the movement coupler 2 includes a pivotal connecting portion 26 which coacts with a pivot mount (the bolt connected via nut 34) on a handle 20 in order to enable the roller to pivot with respect to the handle and thereby render the roller more controllable; accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include such a pivoting handle into the movement coupler 16 of the Wuelker device in order to enable the roller to be more controllable; in regard to claims 12-18 and 21-22, the above discussed combination of the Wuelker and Baril references discloses the claimed structure.

Applicants respectfully traverse the rejections for the following reasons.

As discussed in the above 102 rejections, the painter roller of the present invention is different from the applicator of Wuelker. More specifically, one of the claimed features is the coupling portion that is disposed on the smaller end of the applicator so that the coupling porting receives a handling means that extends outwardly from the small end, thereby the applicator is controlled from the smaller end. Baril fails to teach or suggest such a feature; thus even if Wuelker and Baril are impermissibly combined, they fail to teach or suggest all of the claimed features in Claims 4, 12-18 and 21-22. Therefore, applicants

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respectfully submit that Claims 4, 12-18, and 21-22 not be unpatentable over
Wuelker in view of Baril.

In summary, Claims 1-7, 10-18, and 21-22 are novel and non-
obvious in view of the cited prior arts. Applicant respectfully requests that a
timely Notice of Allowance be issued in this case.

Respectfully submitted,

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